

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 05-00044 JMS
)	
Plaintiff,)	ORDER GRANTING MOTION FOR
)	REDUCTION OF SENTENCE
vs.)	PURSUANT TO FEDERAL RULE
)	OF CRIMINAL PROCEDURE 35(b)
MYLINH THI WEBB,)	
)	
Defendant.)	
_____)	

ORDER GRANTING MOTION FOR REDUCTION OF SENTENCE
PURSUANT TO FEDERAL RULE OF CRIMINAL PROCEDURE 35(b)

On March 21, 2007, the United States filed a motion seeking an order from this court reducing the sentence of defendant Mylinh Thi Webb (“Defendant”) pursuant to Federal Rule of Criminal Procedure 35(b). At that time, the United States requested that the court defer consideration of the motion pending Defendant’s continued cooperation. On February 13, 2008, the United States filed an amended motion requesting that the court reduce Defendant’s sentence of 84 months to 54 months.

Rule 35(b)(1) provides:

Upon the government's motion made within one year of sentencing, the court may reduce a sentence if: (A) the defendant, after sentencing, provided substantial assistance in investigating or prosecuting another person;

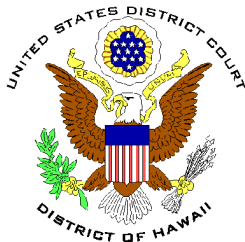
and (B) reducing the sentence accords with the Sentencing Commission's guidelines and policy statements.

On March 30, 2006, Defendant was sentenced to 84 months of incarceration. The United States' motion demonstrates that a cooperating source agreed to cooperate with law enforcement on behalf of Defendant. That is, the cooperating source provided third-party cooperation in an effort to have Defendant's sentence reduced. The cooperating source was apparently successful, resulting in the arrest and conviction of seven individuals in state and federal court.

Based on the representations made by the United States, the court GRANTS the United States' Motion, and hereby orders that Defendant's original sentence of 84 months imprisonment be reduced by 30 months to a new sentence of 54 months imprisonment.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, February 25, 2008.



/s/ J. Michael Seabright

J. Michael Seabright
United States District Judge

United States v. Webb, Cr. No. 05-00044 JMS; Order Granting Motion for Reduction of Sentence Pursuant to Federal Rule of Criminal Procedure 35(b)